

**Christina Proctor**

December 19, 2001

## Prosecution ends testimony in rape trial

The prosecution finished with its witnesses Thursday and the defense began trying to establish an alibi for the man accused of raping a 16-year-old girl.

The prosecution's last witness, a friend of the girl's mother, testified that she saw [redacted], on the street of the girl's residence in Meyers three times on Feb. 10 - one of the days in question. [redacted] is also accused of entering the girl's home on Feb. 12. The girl testified that [redacted] a close relative, came in both times unannounced into her bedroom and forced her to have intercourse.

Robin Hennessy told the court that she saw [redacted] truck parked in the driveway of the home around 9:30 a.m. and when she approached the truck she saw [redacted] in the driver's seat.

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"He was looking toward the upstairs of the house," Hennessy said, adding later that when [redacted] noticed her he tried to pull out of the driveway.

Hennessy said she was suspicious of the truck because she knew [redacted] wasn't suppose to be near the home because of a restraining order against him.

Hennessy said that before noon she saw [redacted] truck again parked up the street from the alleged victim's house, and then again later that day traveling on the street.

The prosecution and the defense also stipulated to the evidence that on Feb. 26, a medical exam was performed on the girl and the findings were consistent with sexual intercourse. It was also entered into the court record that the girl has had consensual intercourse with her boyfriend.

The defense brought forth two longtime acquaintances of [redacted] from Santa Barbara, who testified that they met with [redacted] on Feb. 11 at the Grover Hot Springs outside of Markleeville around 4 p.m. They also said they stayed with him to have dinner in Markleeville until around 7:30 p.m. when [redacted] left.

[redacted] was also informed that there were avocados at a ranch near Santa Barbara which were available for him to pick up.

John Collins, the owner of the home where [redacted] was living, testified that he saw [redacted] on the morning of Feb. 11 and then didn't see him again until around 2 to 3 a.m. on Feb. 13. Collins said on the morning of Feb. 13 he saw a large amount of avocados in the back of [redacted] pickup truck.

On cross-examination by the prosecution Collins also admitted that he actively worked on an alibi in [redacted] case.

Judge Jerald Lasarow called a recess around 3 p.m. and excused the jurors for the weekend. The trial is set to resume Tuesday at 9 a.m.

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